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January 13, 2023

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 1/18/23
DATE FILED: 1/18/23

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MEMO ENDORSED

1/18/23

VIA ECF AND HAND DELIVERY

The Honorable Colleen McMahon
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

So Ordered

Colleen McMahon

Re: United States v. Malik Nicholas, 19 Cr. 380 (CM)

Dear Judge McMahon:

As your Honor is aware, this firm represents Defendant Malik Nicholas in the above-captioned action. Mr. Nicholas respectfully requests that this Court enter an order permanently sealing ECF No. 21 from the public record.

On January 12, 2023, Mr. Nicholas filed his sentencing submission, including three exhibits, at ECF No. 21, 21-1, 21-2, and 21-3. It has come to our attention that certain information that is redactable under Your Honor's Individual Rules of Practice for Sentencing Proceedings was not redacted from Mr. Nicholas' letter, which was filed as Exhibit A to the sentencing submission, at ECF No. 21-1. Defense counsel immediately contacted the Clerk of Court, who provisionally sealed the entire docket entry pursuant to the Emergency Sealing Provisions of Local ECF Rule 21.7. Defense counsel then re-filed the sentencing submission with appropriate redactions.

As the filing at ECF No. 21 contains information that may be redacted pursuant to the E-Government Act of 2022, SDNY's ECF Privacy Policy, and Your Honor's Individual Rules of Practice for Sentencing Proceedings. Defendant respectfully requests that Your Honor issue an order permanently sealing ECF No. 21 from the public record.

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Respectfully submitted,

QUINN EMANUEL URQUHART & SULLIVAN, LLP

/s/ Joanna E. Menillo

Joanna Menillo

Enclosures